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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VDATE: ~~AUG 13 1987~~

SUBJECT: Status Memorandum for the Skinner Landfill Site in Ohio

Gene Wong, RPM
FROM: Site Management Section *Gene Wong*

TO: Addressees (see addressees list)

The purpose of this memorandum is to provide an update of the recent site activities and a site status to persons involved with the Skinner Landfill site. As I have hopefully informed all addressees, I will be absent for an extended period of time (August 21 - September 17, 1987). Therefore, this memo will also designate persons to assume RPM responsibilities in my absence.

Presently, there are two key activities on-going with regards to the site. The activities are the submittal of the final Remedial Investigation (RI) Report for Phase I activities and the issuance of a Unilateral Administrative Order (AO) for access and non-interference to the Skinner family.

With regards to the RI report, the initial draft was extensively reviewed by the agencies several months ago. All comments have been addressed and incorporated, where appropriate. The contractor expects to submit the revised RI report, by the end of August to the agencies for final review. If there are any comments to the revised report, address the comments directly to Weston site manager, Mike Bort at (312) 295-6020. Hopefully, any problems with the report can be resolved during my absence. The report will not be officially finalized and made available to the public until after my return. Community relations activities will not be required until the RI report is made public.

With regards to the AO, Tim Conway, the site attorney, is the point of contact. He can be reached at (312) 886-6733. The background information leading up to the issuance of the AO is very complicated but extensively documented. Pauline LeBlanc (312-886-7278) of the CERCLA enforcement section has been designated the technical contact for this AO issue in my absence.

I will not discuss the background information because of its complexity, however, feel free to contact Pauline or Tim if you have any questions. Presently, a special delegation package (to request regional approval authority for the AO) is in sign-off in Waste Management Division. The AO has been prepared, reviewed and is almost in final form. It is anticipated that the AO will be issued by the end of August unless the region encounters problems obtaining authority delegation.

Shortly after issuance of the AO, the Skinners may request a meeting with EPA to discuss the AO. Probable attendees at this meeting representing U.S. EPA are Tim Conway, Pauline LeBlanc and a Site Management Section designee. If the AO is successful (not contested), litigation can be avoided and Phase II RI work can continue. Unfortunately, conditions at the site have changed so drastically that Phase II RI fieldwork plans must be redeveloped. It is unlikely that RI Phase II fieldwork can recommence before late Fall. If the AO is unsuccessful, litigation will probably take a minimum of 6 months, thereby, postponing Phase II RI fieldwork until 1988.

In closing, I have attached a memo written by Tim Conway explaining EPA's rationale for choosing an AO over civil litigation. Additionally, Pauline LeBlanc has most of the AO technical documentation and a 45 minute videotape of a recent (July 30, 1987) site visit. If you have any questions, please direct them to the appropriate designee.

Addressees

Don Bruce, CES
Pauline LeBlanc, CES
Gregg Kulma, SMS
Tim Conway, ORC
Jenny Hall, OPA
Mike Starkey, OEPA
Mike Bort, Weston